

## **Michigan Emergency Telephone Service Committee (ETSC) Position Paper 2004**

9-1-1 is recognized by citizens nationwide as the number to call for emergency assistance. However, 9-1-1 is more than just a telephone number. It is a multi-dimensional system composed of wireline telephone providers, wireless communication carriers, a complex network of routers, switches and databases, and emergency dispatch/communications centers.

In an environment of rapidly growing technology, Michigan's 9-1-1 systems face both present and approaching challenges. The public's expectation of being able to access 9-1-1 will continue throughout forthcoming changes. It is essential to convey that these challenges effect the vital development, maintenance, and operation of Michigan's 9-1-1 service.

To meet these challenges Michigan's 9-1-1 systems need support that can only be facilitated through legislative changes that keeps pace with developing technology.

### **Background**

Michigan's 9-1-1 service is enabled and governed by P.A. 32 of 1986 and its subsequent amendments (the *Emergency Telephone Service Enabling Act*). This Act defines the technical and managerial aspects of the 9-1-1 system, and provides funding in the form of surcharge that supports the network backbone and provides a capital and operational funding mechanism for public safety answering points (PSAPs).

Presently, 81 Michigan counties have enhanced 9-1-1 (E9-1-1) in which address and call-back numbers are supplied to the PSAP. Another county will be bringing E9-1-1 on line in early 2005. All the counties in Michigan are 9-1-1 Wireless Phase I compliant. Phase I compliance is the ability to receive wireless and process wireless 9-1-1 calls with call-back numbers and cell tower sectors. Currently, more than one-half of all Michigan counties receive Wireless Phase II 9-1-1 calls, which include the latitude and longitude locators of the call. All the remaining counties are actively pursuing the implementation of Phase II wireless 9-1-1. ([See attached list](#)).

### **9-1-1 Network**

There are presently an estimated 4,707,232 wireless subscribers in Michigan. In 2003, landline telephone companies delivered over 7.3 million 9-1-1 calls to PSAPs. 4.2 million of those calls originated from wireless telephones. The 9-1-1 system comprised of PSAPs, wireless networks, and wireline networks has served to preserve property and protect lives. Wireless providers, landline telephone companies, and PSAPs have been working together to address implementation issues to continue to improve delivery of Michigan's 9-1-1.

### **Legislative Changes Supported by the ETSC**

Newer methods of accessing telecommunications through other devices and methods are rapidly effecting the 9-1-1 system. For instance, Voice over Internet Protocol (VoIP) telephone systems, computers, vehicle systems that can "report" their own crashes, and hand-held devices that can access 9-1-1 are now available. It is expected that these new technologies will have far greater impact on 9-1-1 than the implementation of simple wireless connectivity. In short, the 9-1-1 system as it exists faces restrictions in fund collection because the current legislation does not address modern technology that has not previously existed.

While working with the local PSAP community, landline providers, and wireless providers, the ETSC has identified several essential concepts critical to the continued success of the 9-1-1 system. The ETSC believes that these key concepts need to be addressed when legislation addressing the state's 9-1-1 system is reviewed.

1. **Evaluation of the mechanisms that fund Michigan's 9-1-1 systems.**

Legislation that secures equitable and stable funding of Michigan's 9-1-1 systems needs to be actively pursued. At the present time, a funding disparity exists in the 9-1-1 system. 9-1-1 surcharges paid through telecommunication providers for Michigan's 9-1-1 systems are inconsistent at both the network level and operational level. This inconsistency is not the product of one single cause, but rather a combination of emerging technology, broader access to 9-1-1, and a funding system that is based on traditional landline technology surcharges.

This combination results in Michigan's 9-1-1 system costs being paid by certain users, while others bear little or no weight of the burden. For example, some combined wireline technical and 9-1-1 operational surcharges in Michigan are in excess of \$3 a month, while there are pre-paid wireless calling devices and VoIP systems that are not subject to any 9-1-1 surcharges.

The widespread replacement of traditional wireline telephones with wireless phones, VoIP, and other emerging technology has caused a flattened or reduced source of funding for many 9-1-1 PSAPs and network providers. Some counties and network providers have made the difficult decision to raise their wireline surcharges in order to offset funding losses created by the declining number of consumers that may be assessed a surcharge.

Currently, both the wireless and wireline surcharge funding mechanisms, although disparate, have become either in whole, or in part, the means by which many of Michigan's PSAPs are able to deliver 9-1-1 services. While there is no "quick fix," the ETSC believes that the answer is not to raise existing surcharges nor is it to create new surcharges on new technology. The ETSC also recognizes that it is not feasible to eliminate the landline surcharges in the immediate future.

In the face of an ever-changing telecommunications industry and many emerging technologies, the ETSC believes it is critical that Michigan act in a timely and collaborative manner to actively pursue changes to the current 9-1-1 funding mechanism in order to create a stable funding mechanism that does not put the public's 9-1-1 system at risk.

**The ETSC recommends** that Michigan Legislature act in a timely and collaborative manner to actively pursue 9-1-1 funding mechanisms that are reliable and equitable across technology lines.

2. **9-1-1 funding should be preserved for 9-1-1 systems and 9-1-1 centers.**

New legislation should contain language that preserves 9-1-1 funds for the use of 9-1-1 systems and keeps existing provisions for the allocations of 9-1-1 funds under the domain of individual 9-1-1 plans.

9-1-1 revenues, at all levels, should be dedicated funding that cannot be utilized for any other reason than 9-1-1 services. Counties and municipal PSAPs must use their funds for 9-1-1 purposes. The diversion of these funds to other uses threatens the integrity of the 9-1-1 funding system. Additionally, using state 9-1-1 money to pay for non-9-1-1 uses may jeopardize potential federal 9-1-1 funds Michigan could receive. The state has already reallocated \$12 million of the wireless 9-1-1 fund in 2004 for bond payment. Pending federal legislation may channel up to \$500 million dollars to states for 9-1-1 systems. However, to be eligible for these funds, states are prohibited from diverting wireless 9-1-1 phone fees for other purposes. This diversion prohibition may be retroactive to October 1, 2003.

Diverting 9-1-1 funds places both local and state 9-1-1 operations and the future delivery of services in jeopardy.

**The ETSC recommends** that any revision of the Act protect these revenues for the purpose for which they are collected.

3. **The sunset clause in new 9-1-1 legislation should have a “buffer” period for PSAP funding and network cost recovery.**

Inclusion of a "sunset clause" in legislation is an effective tool for monitoring progress and effectiveness. However, such a clause can inadvertently place local 9-1-1 programs and networks at a funding risk. 9-1-1 elections are time-consuming, costly, and, as demonstrated by failed proposals throughout the state, can be difficult to pass. Traditionally this legislation is reviewed just prior to its sunset. When this occurs the “window of opportunity” of election dates for local governments can be missed even though the sunset has not expired. Just as PSAPs need to know that their funding will be protected in the event a sunset date is not met, telephone companies also need to fund their networks to deliver 9-1-1.

**The ETSC recommends** legislative language that affords a 12-month "buffer" or "grace period" that allows surcharge collection and remittance to continue beyond the sunset of the Act so that PSAPs and network providers can research and implement other funding sources.

## **Conclusion**

In conclusion, the public deserves to have its continued expectation of being able to call 9-1-1. Over 20,000 times a day Michigan citizens pick up a phone and dial 9-1-1 to access police, fire, or emergency medical services. Michigan's 9-1-1 systems may be diminished and possibly lost if they do not get the support they need operationally, technically, and financially and a stable and equitable funding source is not found.